

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

TERRANCE GADDY,	:	
<i>Plaintiff,</i>	:	CIVIL ACTION
	:	
v.	:	
	:	
CITY OF PHILA. POLICE DEP'T et al.,	:	No. 14-3435
<i>Defendants.</i>	:	

ORDER

AND NOW, this 4th day of June, 2015, upon consideration of the Amended Complaint (Docket No. 24), Defendants' Motion to Dismiss (Docket No. 27) and Plaintiff's Response in Opposition (Docket No. 30), and after a hearing on the Motion on June 26, 2015, for the reasons set forth in the Court's Memorandum of even date, **the Court hereby ORDERS** that Defendants' Motion to Dismiss (Docket No. 27) is **GRANTED IN PART and DENIED IN PART** so that:

1. The Motion is **DENIED** with respect to all claims arising from the alleged use of force against Mr. Gaddy while he lay on the ground unconscious on September 20, 2011; and
2. The Motion is **GRANTED** with respect to all other claims, including all claims arising from the alleged use of a police vehicle to knock Mr. Gaddy off his bicycle on September 20, 2011, which are hereby **DISMISSED**.

BY THE COURT:

S/Gene E.K. Pratter
GENE E.K. PRATTER
UNITED STATES DISTRICT JUDGE